

EXHIBIT A

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: VALSARTAN, LOSARTAN, AND
IRBESARTAN PRODUCTS LIABILITY
LITIGATION

Hon. Robert B. Kugler

Civil No. 1:19-md-2875-RBK-JS

**DECLARATION OF FRANK H. STOY IN SUPPORT OF THE
MANUFACTURER DEFENDANTS' MOTION TO MODIFY ESI SEARCH TERMS**

Pursuant to 28 U.S.C. § 1746, I, Frank H. Stoy, hereby declare as follows:

1. I am an attorney at Pietragallo Gordon Alfano Bosick & Raspanti, LLP, and am one of the attorneys representing Mylan in this MDL. I have personal knowledge of the facts set forth in this declaration.
2. On December 23, 2019, the Court entered an Order that (a) established the list of the individual ESI custodians for each Manufacturer Defendant; and (b) incorporated certain ESI Search Terms negotiated by and among the parties to be used to locate responsive documents contained within the Manufacturer Defendants' custodial email files during the relevant time period (the "Original ESI Search Terms").
3. Mylan began its initial collection of custodial Microsoft Outlook email files on January 2, 2020.
4. Mylan's initial collection of custodial Microsoft Outlook email files was compiled by January 14, 2020, and preliminary hit reports were generated thereafter based upon the Original ESI Search Terms.
5. The total volume of custodial Microsoft Outlook email for the relevant time period, which is January 1, 2011 to the present, is 18,540,599 email files. This number does not include attachments to those email files.

6. The Original ESI Search Terms, when run against Mylan’s custodial Microsoft Outlook files (email files and attachments), capture 5,718,381 email files. The total volume of these email files, including their attachments, is 3.93 terabytes.

7. Mylan estimates that the number of custodial documents – emails and attachments – that would require review based upon the Original ESI Search Terms to be in excess to of 15,000,000, although this number is subject to reduction based on de-duplication and threading.

8. Due to the high volume of data captured by the Original ESI Search Terms – nearly thirty-one percent (31%) of all custodial Microsoft Outlook email files – Mylan, prepared a counterproposal containing revised ESI search terms (the “Revised ESI Search Terms”).

9. Mylan generated Preliminary hit reports based upon the Revised ESI Search Terms.

10. The Revised ESI Search Terms, when run against Mylan’s custodial Microsoft Outlook files (email files and attachments), capture 1,809,669 email files. The total volume of these email files, with their attachments, is 2.32 terabytes.

11. None of the custodial Microsoft Outlook email files can be de-duplicated or threaded before they are processed by Mylan’s eDiscovery and managed review provider for this litigation.

12. All of the foregoing data is based on custodial Microsoft Outlooks emails sent and received between January 1, 2011 and May 1, 2020.

Dated: May 27, 2020

Respectfully submitted,

/s/ Frank H. Stoy